

EXHIBIT A

1 A. I am not sure. I did obtain an associate's
2 degree. I have taken one class at Wilmington College.
3 I am presently enrolled in a class, but there are
4 several classes that I won't have to take for what's
5 called PLA, that you could provide a portfolio in
6 those classes -- you'll have to pay for it, but you
7 won't have to take and there is about five or six of
8 those classes. So I am not sure how many credits I'll
9 have after that time.

10 Q. The class you are currently taking, does it
11 meet at night?

12 A. Pardon me?

13 Q. It meets at night?

14 A. Yes.

15 Q. You are only just taking that one class?

16 A. Yes. It's a seven-week block class.

17 Q. When did you start your employment with New
18 Castle County?

19 A. September 30th, 1991.

20 Q. And what did you do prior to that?

21 A. Several things. I sold life insurance. I
22 drove a school bus.

23 Q. Can you give me some time frames of how long
24 you did each?



1 Q. During that time, do you recall who your
2 immediate supervisor was when you worked at B Squad?

3 A. My first supervisor was Lieutenant James
4 Sharkey.

5 Q. Do you recall who the chief of police was when
6 you were hired?

7 A. Yes. It was Tom Gordon.

8 Q. Then you left B Squad October 28th of what
9 year?

10 A. It was October 1998.

11 Q. Okay. Then from there?

12 A. I was assigned to the Public Information Office
13 for the Police Department.

14 Q. Was that a job you applied for?

15 A. No. Well, I did submit memorandums for that
16 position as well as memorandums for the criminal
17 investigation unit.

18 Q. Do you still have copies of those memorandums?

19 A. I do not.

20 Q. At that time, who was chief of police?

21 A. John Cunningham.

22 Q. Were those memos directed to him?

23 A. Yes. Through the chain of command.

24 Q. Can you summarize for us what the memorandums



1 Lieutenant Colonel Scott McLaren?

2 A. That's correct.

3 Q. When you first took the position as PIO, what
4 did you believe your duties and responsibilities were
5 going to be?

6 A. To promote the department; to protect the
7 department from negative press; to inform the media of
8 day-to-day police operations, arrests, programs, those
9 types of -- I was the media coordinator for the Police
10 Department.

11 Q. Who was your immediate -- I guess who was and
12 is your immediate supervisor as the PIO?

13 A. When I first started in 1998, Lieutenant Vince
14 Kowal was my immediate supervisor. He has since
15 retired. And since then, I did work for or with
16 Lieutenant Patrick Crowell for some time. I don't
17 recall if at that point he was my supervisor or if I
18 fell directly under the chief of police. But I do
19 recall lieutenant Crowell did do my evaluations.

20 Q. After Lieutenant Crowell, assuming he may have
21 been a supervisor at that time, after he was no longer
22 serving in that capacity, who would have done your
23 evaluations?

24 A. I know that Jack Cunningham did do some of my



1 Q. So, theoretically, Guy Sapp and David Singleton
2 are in your chain of command?

3 A. I would say that they're my superiors. My
4 chain of command is chief of police. Typically, a
5 corporal would have, perhaps, a sergeant in the
6 command, a lieutenant, then a captain and then major
7 and acting lieutenant colonel and colonel. I work
8 directly for the chief of police.

9 MR. MARTIN: Michele, is this a good spot
10 to take a break?

11 MS. ALLEN: This is an excellent spot to
12 take a break.

13 (Recess taken.)

14 BY MS. ALLEN:

15 Q. Mr. Navarro, I wanted to talk to you a little
16 more in detail about your position as PIO for the New
17 Castle County Police Department. I think much earlier
18 on in the deposition you described your duties and
19 responsibilities as PIO. Has that changed over the
20 years?

21 A. Well, I had other duties assigned to me that
22 weren't necessarily media relations related, but my
23 duties have not changed.

24 Q. Do you enjoy being the PIO?



1 It was impossible for me to tell her about all the
2 contacts I had with the media. It was sort of
3 understood.

4 Q. I guess I am trying to get a fair assessment of
5 what you felt -- because you did report some stuff to
6 her; correct?

7 A. Major crimes, things like that.

8 Q. Okay.

9 A. But I reported -- it wasn't a phone call. What
10 you have to understand is I would send every single
11 press release I put out to Allison. And that was
12 enough. That was enough.

13 Q. Was there going to be a press release on the
14 Delaware Today article?

15 A. No.

16 Q. When Chief McAllister told you not to report
17 the Delaware Today article to Allison, did you have
18 any information as to what the Delaware Today article
19 was supposed to be about?

20 A. The story was about Dave McAllister. The
21 actual content of the story I did not know.

22 Q. You indicate in the complaint that I guess you
23 were having difficulty in the PIO position, that it
24 was becoming difficult because there was, I guess,



1 some type of struggle between the administration and
2 the chief of police?

3 A. Yes. There was an obvious dislike between the
4 County administration and the chief of police.

5 Q. Do you think that made your job more difficult?

6 A. It made my job uncomfortable.

7 Q. At some point, you told Allison that you in
8 fact actually wanted out of the PIO position because
9 of that?

10 A. Because of the politics associated with the
11 position, yes.

12 Q. But you never applied for a transfer out of the
13 PIO position?

14 A. I did not.

15 Q. Is there a particular reason why?

16 A. Well, up until about 18 months ago, I loved my
17 job. There's good days and bad days associated with
18 the job. But even before, for the last eight years
19 that's been the case, but I still like to do what I
20 do. What I do I believe I do well.

21 Q. As we talked about before, the first time you
22 were eligible for promotion was on the 2004 sergeant
23 list?

24 A. Yes, ma'am.



1 Q. So there were no promotions made for the
2 remaining eight months?

3 A. I don't know. I don't recall.

4 Q. And then in July of '03, the year closest to
5 this, the one that leads to this lawsuit, you came in
6 53rd?

7 A. Yes, sir.

8 Q. And this despite the fact that McAllister gave
9 you a maximum 100 rating points. Correct?

10 A. Yes, yes.

11 Q. That was disappointing, wasn't it?

12 A. Sure, it was.

13 Q. So 12th was -- when you came in 12th the year
14 after that was the best you had ever done?

15 A. Yes.

16 Q. Do you have any idea why you did better that
17 year than you had in the past which, with the
18 exception of November of '01, were in numbers in the
19 40s and 50s?

20 A. I know why in '03 I came out 53.

21 Q. Why is that?

22 A. It was the same test was administered that year
23 as the previous year. We were allowed to review that
24 test. And people who reviewed that test scored much



1 Q. Do you recall whether or not you voted in the
2 2004 general election for County Executive?

3 A. I did.

4 Q. Who did you vote for?

5 A. I voted for the Democratic candidate, Chris
6 Coons.

7 Q. Did you make any financial contributions to
8 either Sherry Freebery -- well, I'll ask you
9 separately.

10 Did you make any financial contributions
11 to Sherry Freebery?

12 A. I did not.

13 Q. Did you make any financial contributions to
14 Chris Coons' campaign?

15 A. I did not.

16 Q. What about the Republican candidate who was...

17 A. Castagno maybe.

18 Q. That sounds about right, yes.

19 Did you make any contributions to
20 Castagno?

21 A. I did not.

22 Q. Did you go to any fundraisers for Sherry
23 Freebery for County Executive?

24 A. I do not believe so.



1 others. I just don't recall.

2 Q. So there's no way for someone in the public to
3 find a list of who's on this McAllister team?

4 A. There's no list that exists, so I don't know if
5 the public would find such a list if it doesn't exist.

6 Q. Did the people that you have listed as well as
7 any other people that you might think of later on, did
8 you meet collectively as a group?

9 A. Sometimes socially but not necessarily a group
10 type meeting/setting, if that makes sense. Sorry.

11 Q. When you may have met socially, was it
12 considered a meeting of the McAllister team?

13 A. No.

14 Q. Did you pay any dues to this McAllister team or
15 fees?

16 A. I did not.

17 Q. Did anybody else that you know of?

18 A. No.

19 Q. Was there any type of policy or agenda that
20 this team decided it was going to put forward?

21 A. No.

22 Q. Were there any type of membership cards?

23 A. No, ma'am.

24 Q. Did the McAllister team make any endorsements,



1 political endorsements?

2 A. Could you clarify "endorsements"?

3 Q. Well, let's say for the 2004 County Executive
4 race, whether it be the primary or the general, did
5 the McAllister team endorse and say we support X or Y?

6 A. Well, Dave McAllister and I spoke about
7 individuals who were running for certain offices but
8 not as a team, no.

9 Q. Did the team collectively endorse anybody?

10 A. No. I mean not that I'm aware of.

11 Q. Do you know who the remaining members of the
12 team, other than yourself, do you know who they voted
13 for in the 2004 either primary or general election for
14 County Executive?

15 A. I do not know.

16 Q. A lot of your amended complaint has to deal
17 with your allegiance and loyalty to David McAllister.
18 Is that correct?

19 A. Yes, ma'am.

20 Q. But you were never asked to do anything to ruin
21 Dave McAllister's reputation, were you?

22 A. Allison Taylor-Levine asked me several times to
23 keep her informed on certain things, media topics
24 related to the police department. She never asked me



1 Can you give any examples of that and what
2 you used to support that allegation?

3 A. Well, Allison Taylor-Levine told me in person
4 as well as in her deposition that remaining loyal to
5 the chief and being on the McAllister team would harm
6 my career as a New Castle County police officer.

7 Q. Can you give an example as to what you mean by
8 your loyalty to the chief?

9 A. Colonel McAllister asked me on several
10 occasions to release information to the media without
11 the knowledge or without notifying Allison
12 Taylor-Levine. He reminded me on several occasions
13 that I worked for him and not for her and that it's
14 been that way for many years, meaning the PIO does not
15 work for the communications director for the
16 government. The PIO works for the chief of police.

17 Q. Is it fair to say that the PIO also works
18 ultimately for the County Executive?

19 A. Yes, ma'am.

20 Q. And Allison Taylor-Levine at the time you're
21 referring to worked for the County Executive?

22 A. She did.

23 Q. Any other examples of your loyalty to the chief
24 other than not reporting media events that the chief



1 to you or from which you deduced there was a rift was
2 that McAllister ordered you to not report certain
3 things or not report the daily news basically to
4 Allison Levine?

5 A. Yes.

6 Q. Was that unprecedented in your experience? Was
7 that at all surprising?

8 A. I can only speak of my previous interaction
9 with the previous administration's communication
10 directors and never did they ask me to send them all
11 my press releases, never did they ask me to do
12 anything which was contrary to what the chief was
13 asking me to do.

14 Q. The last three police chiefs of New Castle
15 County were indicted, correct?

16 A. I can tell you that Sherry Freebery and Tom
17 Gordon were indicted.

18 Q. How about Chief Cunningham?

19 A. He was actually arrested.

20 Q. Arrested. Okay.

21 Inherently do you find anything wrong with
22 an administration wanting to keep close herd on a
23 police department where the past three chiefs have
24 either been arrested or indicted? Try to detach



1 yourself. Say you're a consultant down in Bluffton.

2 A. Could you repeat the question, sir?

3 Q. First I wanted to establish as a fact and ask
4 you had the past three police chiefs been indicted and
5 you said two had been and one had been arrested.

6 And I'm now asking you as a professional
7 who has been in government and related to previous
8 administrations, is there anything inherently wrong
9 about an administration wanting to keep close tabs on
10 a police department where the head of the department,
11 three successive heads have run into that kind of
12 trouble?

13 A. I think if you're speaking about the previous
14 chiefs, yes.

15 If you're speaking about the current
16 chief, I've never seen that type of interference with
17 day-to-day activities. And when I say day-to-day
18 activities, I mean what has been spoken about before
19 in other depositions, such as who has what vehicle,
20 who gets to drive what car.

21 Q. Would the term micromanagement fit that in
22 closely managing the day-to-day affairs that
23 previously hadn't been managed? Did it seem like the
24 current administration wanted to micromanage the



1 department when McAllister was chief?

2 A. I'm not really sure about the definition of
3 micromanagement, but you also said the administration.
4 I don't know if it was Guy Sapp and/or the CAO who
5 were involved in what you term as micromanagement.

6 Q. Tell me about the conversation in which
7 McAllister told you about not reporting media contacts
8 to the administration. Was that the sole subject of
9 the conversation or did it get to that from something
10 else?

11 A. We had several conversations about requests
12 from Allison Levine. She requested that I send her
13 all my press releases, which I did. I added her to my
14 e-mail list. She requested that I tell her about
15 significant incidents that affected the police
16 department, which I did.

17 Colonel McAllister asked me not to
18 specifically run things past her because I didn't work
19 for her. She was upset about a phone call I received
20 from Chris Barrish because I didn't immediately tell
21 her, but what I did do is immediately told Colonel
22 McAllister, who told his supervisor. So I didn't call
23 her on that, and I know that she was particularly
24 upset about that. In fact, she called me and was



1 county government employee outside of the police
2 department receive a copy of your press releases?

3 A. No.

4 Q. Is there anything inherently wrong about the
5 director of communications asking to be the 101st
6 person on your list?

7 A. No.

8 Q. But McAllister didn't like it and he told you
9 to take her off?

10 A. No, he never told me to take her off. She was
11 on it even after she left, but he wasn't concerned
12 about her being on the list. His concern was her
13 trying to influence what I released and not just the
14 things we spoke about, but I recall her commenting on
15 a release I put out about a house that had deplorable
16 conditions inside with children living inside. And
17 she responded to me that she didn't like the way it
18 was worded or something like that, but it was clearly
19 too late because it was out and she received the same
20 copy that everyone else received.

21 So she wasn't proofreading them
22 necessarily. She was receiving them but not always
23 agreeing with what I released.

24 Q. What was it -- I don't mean to belabor this

